

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

KELLI BERTL, Personal Representative
of the Estate of LARRY BERTL,

Plaintiff,

-vs-

CITY OF WESTLAND, et al.,

Defendants.

CASE NO. 04-CV-75001

PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

**ORDER DENYING DEFENDANTS' MOTION TO STRIKE PLAINTIFF'S RESPONSE
BRIEF TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

Before the Court is Defendants' (Vaughn, Hill, and Williams) October 18, 2007 Motion to Strike Plaintiff's September 21, 2007 Response Brief to Defendants' Motion for Summary Judgment. (Doc. No. 346). Defendants contend that the Court should strike Plaintiff's Response for being filed one (1) day after this Court's scheduled deadline of September 20, 2007. Upon consideration of Defendants' request, the Court **DENIES** Defendants' Motion.

SO ORDERED.

s/Paul D. Borman
PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: October 19, 2007

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on October 19, 2007.

s/Denise Goodine

Case Manager